



RCE/1652

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## REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

<i>Application Number</i>	10/085,476
<i>Filing Date</i>	February 27, 2002
<i>First Named Inventor</i>	De Francesco, R. et al.
<i>Group Art Unit</i>	1652
<i>Examiner Name</i>	Hutson, Richard G.
<i>Attorney Docket Number</i>	ITR0002PCA

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
  - a.  Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
    - i.  Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
    - ii.  Other \_\_\_\_\_
  - b.  Enclosed
    - i.  Amendment/Reply
    - ii.  Affidavit(s)/Declaration(s)
    - iii.  Information Disclosure Statement (IDS)
    - iv.  Return Receipt Postcard (itemized)
    - v.  Other \_\_\_\_\_
2. **Miscellaneous**
  - a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
  - b.  Other \_\_\_\_\_
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
 

The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-2755

  - i.  RCE fee required under 37 C.F.R. § 1.17(e)
  - ii.  Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
  - iii.  Other \_\_\_\_\_

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

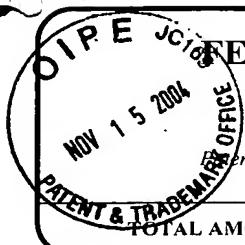
Name (Print/Type)	Sheldon O. Heber	Registration No.	38,179
Signature			Date November 12, 2004

NOTE: SEND TO MAIL STOP RCE

### CERTIFICATE OF MAILING OR FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on:

Name (Print/Type)	Sheldon O. Heber		
Signature			Date November 12, 2004



# FEES TRANSMITTAL

Fees are subject to annual revision.

**TOTAL AMOUNT OF PAYMENT** **\$790**

Complete if Known	
Application Number	10/085,476
Filing Date	February 27, 2002
First Named Inventor	De Francesco, R. et al.
Examiner Name	Hutson, Richard G.
Group Art Unit	1652
Attorney Docket Number	ITR0002PCA

## METHOD OF PAYMENT

Deposit Account

Deposit Account Number	13-2755
Deposit Account Name	Merck & Co., Inc.

The Director is authorized to:

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application

## FEES CALCULATION

### 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
1001	790	Utility filing fee	
1002	350	Design filing fee	
1004	790	Reissue filing fee	
1005	160	Provisional filing fee	
<b>SUBTOTAL(1)</b>			<b>\$0</b>

### 2. EXTRA CLAIM FEES

	Extra	Fee from below	Fee Paid
Total Claims	[ ] - 20	** = [ ] 0	x \$18 = [ ] 0
Independent Claims	[ ] - 3	** = [ ] 0	x \$88 = [ ] 0
Multiple Dependent Claims		\$300 = [ ]	

\*\*or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Fee Description	
1202	18	Claims in excess of 20	
1201	88	Independent claims in excess of 3	
1203	300	Multiple dependent claim, if not paid	
1204	88	**Reissue independent claims over original patent	
1205	18	**Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL(2)</b>			<b>\$0</b>

## FEES CALCULATION (continued)

### 3. ADDITIONAL FEES

Large Entity Code	Fee (\$)	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	
1053	130	Non-English specification	
1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1251	110	Extension for reply within first month	
1252	430	Extension for reply within second month	
1253	980	Extension for reply within third month	
1254	1,530	Extension for reply within fourth month	
1255	2,080	Extension for reply within fifth month	
1401	340	Notice of Appeal	
1402	340	Filing a brief in support of an appeal	
1403	300	Request for oral hearing	
1452	110	Petition to revive - unavoidable	
1453	1,370	Petition to revive - unintentional	
1501	1,370	Utility issue fee (or reissue)	
1502	490	Design issue fee	
1460	130	Petitions to the Commissioner	
1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	Submission of Information Disclosure Statement	
8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	Request for Continued Examination (RCE)	790
Other fee (specify) _____			
Other fee (specify) _____			
<b>SUBTOTAL(3)</b>			<b>\$790</b>

## SUBMITTED BY

## Complete (if applicable)

Typed or Printed Name	Sheldon O. Heber			Reg. Number	38,179
Signature		Date	11/12/2004	Deposit Account User ID	

Application Number: 10/085,476  
Filing Date: 02/27/2002  
First Named Inventor: De Francesco, R. et al.  
Group Art Unit: 1652  
Examiner Name: Hutson, Richard G.  
Attorney Docket Number: ITR0002PCA

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**FIRST CLASS MAIL CERTIFICATE**

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450, ON THE DATE APPEARING BELOW.

**MERCK & CO., INC.**

MAILED BY *Shelby H.* DATE 11/12/2004